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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROSS WEIL, individually and
BRETT ROYCE, individually

v. Plaintiffs,

AMERICAN UNIVERSITY, a
District of Columbia Corporation

Defendant.

Hon. Deborah A. Batts
Case No. 07-CIV-7748

**DECLARATION OF
MICHAEL A. KAUFMAN**

Pursuant to 28 U.S.C. §1746

I, Michael A. Kaufman declare as follows:

1. I am the attorney for Plaintiffs, Ross Weil and Brett Royce.
2. I am familiar with the facts regarding this litigation.
3. I was served with a Motion to Dismiss on October 15, 2007.
4. On or about October 17, 2007, I printed Exhibits “A” through “E”

attached hereto from Defendant’s web page and they are true and correct to the best of my knowledge.

5. On or about October 17, 2007, I printed Exhibit “F” from Defendant’s webpage. The document was 11 pages. Exhibit “F” is page 3 of 11. I have marked the relevant part on Exhibit “F” and it is true and correct to the best of my knowledge.

6. Exhibit “G” attached hereto is a copy of the letter and envelope that I received from Travelers Insurance on or about July 13, 2007 related to this case.

7. I am licensed in the District of Columbia, but not in the Federal District Court of Columbia.

8. I do not have an office in the District of Columbia.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 24th day of October 2007

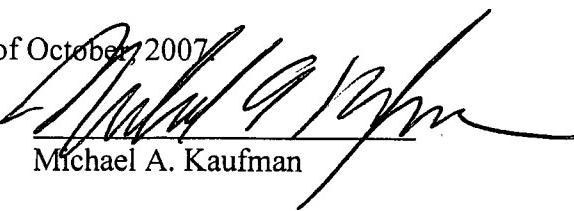

Michael A. Kaufman

EXHIBIT "A"



AMERICAN
UNIVERSITY

ALUMNI HOME

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Carmen Iezzi, SIS/BA '00,
SIS/MA '01

Last fall, when Carmen Iezzi, SIS/BA '00, SIS/MA '01, was named executive director of the Fair Trade Federation...

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Document 10 Filed 10/24/2007

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Page 1 of 1

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 - *American Weekly*
 - *The Eagle Online*
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NEWS

- Katzen Arts Center to Feature Juried Alumni Art Show
- Hundreds Gather at Katzen Arts Center for Announcement of AU's 14th President
- Kerwin Named 14th Permanent President of AU

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Alumni Events

2006 NEW YORK CITY BREAKFAST SERIES: NEW YORK VOTES

Join fellow alumni, deans, and distinguished guests for a panel discussion on the upcoming New York elections and their potential impact on the economy and the world. The panel will feature Dr. James A. Thurber, Distinguished Professor and Director of the Center for Congressional and Presidential Studies; Patrick Healy, Chief Political Correspondent, New York Times, Metro Section; Patrick Lanne, Vice President, Public Opinion Strategies; Jeffrey Pollock, President, Global Strategy Group; and Robert Zimmerman, New York Democratic National Committee Member. Continental breakfast provided.

date September 29, 2006

time 8:30 a.m.

location The Penn Club of New York, 30 West Forty-Fourth Street, New York, NY

price Alumni and Guests: \$30

additional info

Business attire required.

contact info

For information about this event, please contact Heather Buckner at hbuckner@american.edu.

REGISTER NOW

A newAU

American University Alumni Association

4400 Massachusetts Avenue, NW • Washington, DC 20016-8143 • 202.885.5900

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AU AMERICAN UNIVERSITY

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ALUMNI PROFILE



Ken Stuart, CAS/BA '69

While millions of baseball fans from around the world celebrate baseball's Barry Bonds as the new, all-time home run king, one AU alum quietly continues to add historical...

[Read more...](#)

date **January 10, 2007**

time **7:00 p.m.**

location **McCormick & Schmick's Seafood Restaurant
1285 Avenue of the Americas
(Entrance on 52nd Street)
New York, N.Y.**

price **Free**

More...

additional info

The 5th Annual New York City Site Visit Trip, cosponsored by the Career Center, School of Communication, and Kogod School of Business, will take place Tuesday, January 9 – Thursday, January 11, 2007. Students will be learning about various careers and industries, visiting a number of businesses, and practicing developing their professional networking skills.

contact info

Registration for this event is closed.

If you have any questions please contact Patricia Bennett at 202-885-1865 or Maya Robinson at 202-885-3616.

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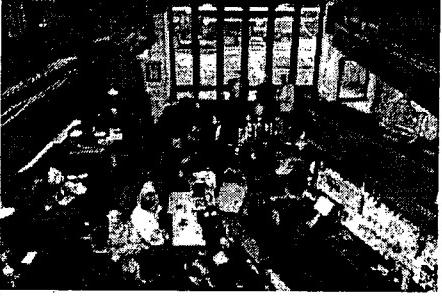


**Constantine Stavropoulos,
KSB/BSBA '87**

Chances are, you've been to the cozy coffee hangout Tryst or the comfort-food haven the Diner in Adams Morgan if you live in D.C. In that case, you've probably come across...

[Read more...](#)

Alumni Events



NEW YORK CITY ALUMNI HAPPY HOUR

Join us as we kick off the fall with a Happy Hour at Galway Hooker Bar. Come network with fellow alumni and enjoy appetizers and drink specials. Spread the word to fellow alumni!

Free food and raffle prizes.
Bring your business cards.

date October 10, 2007

time 6:30- 8:30 p.m.

**location Galway Hooker Pub
7 East 36 Street
(Between 5th Avenue and Madison)**

New York, NY.

price Free

additional info

For more information or to get involved with the NYC alumni chapter, e-mail AUAUalumniNYC@gmail.com

contact info

Please RSVP directly to our chapter leaders, E.J. Stern, SOC/BA '04, and Erin Taylor, SPA/BA '03, at AUAUalumniNYC@gmail.com.

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The freshman admissions representative for New York is Ashley Cole. If you live in this area and have specific admissions questions, please e-mail NY@american.edu.

Fall 2007 Information Sessions

The Office of Admissions invites you and your family to learn more about the opportunities awaiting you at American University.

Register online through the [prospective student portal](#).

You may also register by calling 202-885-6000 (*please indicate the total number in your party*).

Light refreshments will be served.

Saturday, October 13 at 2:00 p.m.

Long Island Marriott Hotel & Conference Center
101 James Doolittle Boulevard
Uniondale, NY 11553

Wednesday, October 17 at 7:00 p.m.

Westchester Marriott Tarrytown
670 White Plains Road
Tarrytown, NY 10591

Sunday, November 4 at 2:00 p.m.

Doubletree Hotel Rochester
1111 Jefferson Road
Rochester, NY 14623

Fall 2007 College Fairs

Wednesday, October 3

Eastside College Night
East Syracuse-Minoa High School Fair
Syracuse, NY
6:00 p.m. - 9:00 p.m.

Thursday, October 11

Suffolk Fall College Fair
Suffolk County Community College
Brookhaven Gym
Long Island, NY
8:30 a.m. - 11:00 a.m. and 6:00 p.m.- 8:30 p.m.

Sunday, October 14

Jewish Students College Fair
Solomon Schechter School of Westchester
Westchester, NY
4:00 p.m. - 6:30 p.m.

Monday, October 15

Southern Westchester College Conference

Westchester County Center
Westchester, NY
6:30 p.m. - 9:00 p.m.

Tuesday, October 16
Northern Westchester College Conference
Yorktown High School, Yorktown Heights
Westchester, NY
6:30 p.m. - 9:00 p.m.

Thursday, October 25
Rockland County College Night Program
Rockland Community College Field House
Suffern (Rockland County), NY
7:00 p.m. - 9:00 p.m.

Friday, October 26
Multicultural College Fair
Poughkeepsie, NY

Thursday November 1
Cayuga County Counselors College Night
Auburn High School
Rochester, NY
6:30 p.m. - 8:30 p.m.

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American University, Admissions, 4400 Massachusetts Ave. NW, Washington D.C. 20016-8001
Phone: 202-885-6000 Fax: 202-885-1025
Last modified: 10/2/2007 2:58:29 PM

CLOSE WINDOW

AU ALUMNI: NEW YORK

Representing more than 6,000 alumni in the New York metro area, the New York alumni chapter sponsors happy hours, community service opportunities, culture events, and more.

Want to see a particular event happen in the coming months? E-mail chapter leaders E.J. Stern and Erin Taylor your suggestions.



CONTACT INFO

Chapter Leaders

E.J. Stern
CAS/BA '04
aualumninyc@gmail.com

Erin Taylor
SPA/BA '03
aualumninyc@gmail.com

 view
All Alumni Events ➤

[Read the complete article](#)

AU's Endowment Reaches Record Setting Level

As of January 31, 2006, the value of American University's endowment was \$318 million. This is the first time in the university's history that the endowment has surpassed \$300 million, and is a significant milestone for American University. The total investment return on the endowment pool is 14.5%, compared with the average return of 9.3% for all endowments (735 colleges and universities) as reported in the National Association of College and University Business Officers (NACUBO) annual survey.

[Read More](#)



Dr. Kerwin to Visit Alumni and Friends in New York, Chicago, and Boston

The American University Alumni Board cordially invites all members of the AU Community to receptions with Interim President Neil Kerwin, SPA/BA '71, in the following cities: New York City on Thursday, March 2; Chicago on Thursday, March 30; and Boston on Wednesday, April 19. If you would like to attend any of the receptions or check dates for upcoming events, please contact the Office of Development at 202-885-5900 or visit www.alumni.american.edu.



Focus on Campaign Priorities: Facilities

The demand for learning on modern, well-equipped campuses has never been greater – and for good reason. A university campus reflects the seamless integration of space and ideas, and the environment we create is one that ultimately shapes imagination, stimulates dialogue, and builds community. Through AnewAU, we will build several new, inspiring structures and revitalize those in need.

[Read More](#)



New Development Leader Named

Abbey Silberman has been promoted to senior director of development by AU Interim President Neil Kerwin, effective January 3, 2006. Since August 2004, she has served as the director of prospect research and stewardship at AU. Silberman oversees the Office of Development now that the division's vice president, Al Checcio, has left AU for a position at Fordham University in New York. "I am honored to help steward AnewAU toward successful completion of its financial and programmatic goals," says Silberman.

She plans to focus on three major tasks: to support Dr. Kerwin as he travels the country and reaches out to alumni and friends of the university; to oversee a formal mid-campaign assessment of AnewAU plans; and to take over the day-to-day management responsibilities for development and alumni programs.

Silberman is considered a national expert in prospect research, having written more than 50 articles and presentations in the last decade. She came to the university with more than 15 years of development experience. For the last eight years prior to joining AU, she owned her own consulting firm and served as a senior consultant with nationally respected consulting firm Marts & Lundy. Silberman will lead the development office until a search for a new vice president concludes.

-Melissa Reichley



Interim President Kerwin to Visit with Alumni Across the Country

Interim President Neil Kerwin, SPA/BA '71, will be traveling this winter and spring to meet with alumni, parents, and friends across the country. Beginning in San Francisco on January 25, and Los Angeles on January 26, Kerwin will take this opportunity to catch up with members of the AU community he has met through his 30+ years of service at AU as a professor at the School of Public Affairs and for seven years as provost, and meet with others for the first time.

In addition to the California visits, Kerwin plans to visit with alumni in New York, Boston, Philadelphia, and Chicago. If you

EXHIBIT "G"



POB 9093
Melville, NY 11747-9093

July 12, 2007

Law Office of Michael A Kaufman, P.A.
570 Lexington Avenue, 44th Floor
New York, NY 10022

James R. Harkins
Technical Specialist
National Accounts, Melville
(631) 577-7504
(631) 577-7885 (fax)
JHarkins@Travelers.com

FAXED
212-658-9117

Attn: Michael Kaufman, Esq.

Re: Insured: American University
Claimants: Ross Weil & Brett Royce
Dol: 5-1-07
File: CBW6418

Dear Mike:

This will serve as a follow up to our conversation of today.

Travelers Property Casualty Company of America is the general liability insurance carrier for American University. The policy number is GJ630 -9554B194 and the effective dates are 5-1-07 to 5-1-08. The personal injury liability limits are 1 million per occurrence.

I am in the process of investigating your clients' claims for damages. It appears that the Alumni Newsletter was published on or after May 1st, 2007. I will need to confirm this, as May 1st, 2007 is noted as the date of the occurrence. We will also review the coverage for American University and will determine whether our insured will be afforded a defense and indemnification for these claims.

In the interim, I would ask that you forward any documentation, statements, affidavits or any other evidence.

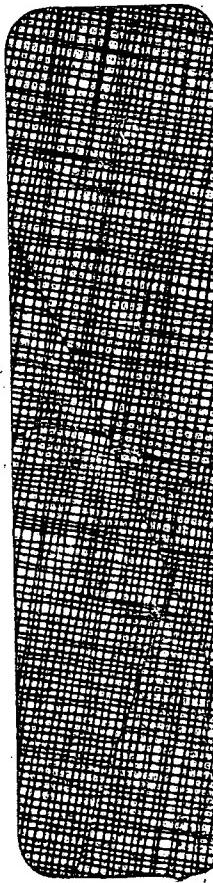
If you have any questions, feel free to contact me at 631-577-7504.

Very truly yours,

A handwritten signature in black ink, appearing to read "James R. Harkins". Below the signature, the name "James R. Harkins" is printed in a smaller, sans-serif font.

TRAVELERS®

Claim Department
P.O. Box 9093
Melville, NY 11747-9093



100224653 COTI